

TEMPORARY EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Floyd Ray McLarty and wife, Judith Wolfe McLarty, hereinafter referred to as "Grantor", do hereby grant, bargain and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", a temporary construction easement over the property described in Exhibit 1 attached hereto.

It is agreed that this is a temporary construction easement for the purpose of Grantee constructing a sewer line.

The easement is temporary in nature and will expire and terminate upon completion of the construction of the sewer project and restoration of Grantor's property. Completion of construction shall be defined as occurring at the time of final payment being made by Grantee to the Contractor performing the construction work.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

IN WITNESS WHEREOF, the said Grantor has hereunto set their hand this _____ day of 24 August, 2002.

Floyd Ray McLarty
FLOYD RAY McLARTY

Judith Wolfe McLarty
JUDITH WOLFE McLARTY

Witnessed By:

[Signature]

APPROVED AND ACCEPTED by the
City of Olive Branch

By: [Signature]
SAMUEL P. RIKARD, MAYOR

ATTEST

Judy C. Herrington
JUDY C. HERRINGTON, CITY CLERK

22 STATE MS. - DESOTO CO.
FILED

SEP 12 11 29 AM '02

STATE OF MISSISSIPPI

COUNTY OF DESOTO

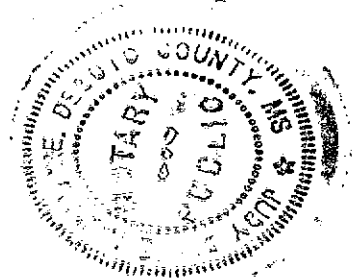
Personally appeared before me, the undersigned authority in and for the said county and state, on this 26 day of August, 2002, within my jurisdiction, Jim E. Moxley one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Floyd Ray McLarty and wife, Judith Wolfe McLarty, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed h he name as witness thereto in the presence of same.

Witness

Judy Diane Naramore
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 19, 2005
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI

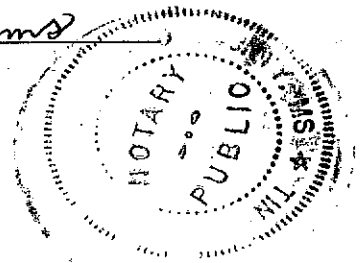
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 10th day of September, 2002, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

Jina Rana Williams
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES AUG 13, 2006
BONDED THRU STEGALL NOTARY SERVICE



PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**FLOYD RAY McLARTY &
wife, JUDITH WOLFE McLARTY
DEED BOOK 245, PAGE 72**

EXHIBIT 1

Being a portion of Lot 6, Payne Park Subdivision, lying in Section 8, Township 2 South, Range 6 West, City of Olive Branch, Desoto County, Mississippi as recorded in Plat Book 19, Pages 35-37 in the Office of the Chancery clerk of Desoto County, Mississippi, and being more particularly described as follows:

TEMPORARY CONSTRUCTION EASEMENT

Being a 10 foot wide strip of land along the east line of an existing 10 foot utility easement adjacent to the west line of subject property, and a 25 foot wide strip of land along the west side of an existing 10 foot utility easement along the east line of the property, and containing 8,197 square feet more or less.



SCALE: 1" = 60'

EASEMENT REQUIRED:

UNENCUMBERED: ENCUMBERED:
PERM: 0.0 S.F. PERM: 0.0 S.F.
TEMP: 8,197 S.F. TEMP: 0.0 S.F.

EXHIBIT NO. 1

SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI
DESOTO COUNTY
PAYNE PARK SEWER IMPROVEMENT

UTILITY EASEMENT

PREPARED BY: F&A BK. 245, PG. 72 TRACT: LOT 6
DRAFTSMAN: D.T.E. DATE: SEPT, 2001

THIS PROPERTY IS LOCATED IN SECTION 8
TOWNSHIP 2 SOUTH, RANGE 6 WEST
DESOTO COUNTY, MISSISSIPPI

NO.	DESCRIPTION	DATE	BY

FILE:

